

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF MAY 26, 2006

(Published June 3, 2006, in *Finance and Commerce*)

Council Chamber
350 South 5th Street
Minneapolis, Minnesota
May 26, 2006 - 9:30 a.m.

Council President Johnson in the Chair.

Present - Council Members Glidden, Remington, Benson, Goodman, Hodges, Samuels, Gordon, Hofstede, Ostrow, Schiff, Colvin Roy, President Johnson.

Absent - Council Member Lilligren.

Benson moved adoption of the agenda. Seconded.

Adopted upon a voice vote 5/26/06.

Absent - Lilligren.

Benson moved acceptance of the minutes of the regular meeting of May 12, 2006. Seconded.

Adopted upon a voice vote 5/26/06.

Absent - Lilligren.

Benson moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.

Adopted upon a voice vote 5/26/06.

Absent – Lilligren.

PETITIONS AND COMMUNICATIONS

CLAIMS:

RISK MANAGEMENT (271211)

Tort Claims Summary Report: Receive and file report for 1st Quarter 2006.

COMMUNITY DEVELOPMENT:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271212)

CPED's State & Regional Redevelopment Grant Applications & Awards 2005.

Greenway Apartments (2845 Bloomington Ave S): Project analysis authorization.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271213)

University Gateway Corp (re 200 Oak St SE): Preliminary & final approval to issue bonds for cooling facility.

Land Sales:

2412-16th Ave S;
1135 Irving Ave N;
1910-25th Ave N;
419 Logan Ave N;
407 & 411 - 33rd Ave N;
1929 Newton Ave N.

Lot Division: 409 - 33rd Ave N (See Land Sales).

Heritage Park Redevelopment Project-Phases 3 & 4: Authorize additional 60 days to negotiate term sheet with Centext Homes.

COMMUNITY DEVELOPMENT and TRANSPORTATION & PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (271214)

Village in Phillips-Phase 2 Project (re 2412-16th Ave S): Staff directives for alley re-alignment & regional stormwater facility.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271215)

Grain Belt Housing Project Phase I - Land Sale: 1221 Marshall St NE, 130-13th Ave & 132-34 - 13th Ave NE.

Target Center Lighting Control System: Accept low bid from Collins Electrical Systems, Inc, dba ColliSys.

Target Center Architectural & Engineering Services: Authorize Request for Proposals.

Target Center Architectural & Engineering Services: Approve temporary waiver from City's RFP procurement policy to allow multiple Standard Agreements with Leo A Daly.

Northeast Community Development Corporation: Authorize contract to provide retail recruitment & marketing services on Central Ave.

Heritage Park Redevelopment Project: Authorize Residential Finance Mortgage Program income to Heritage Housing, LLC to qualified purchasers as second mortgage loans under Sumnerfield Affordable Ownership Program.

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (271216)

2006 NRP Administrative Budget: Increase of 2006 budget to satisfy remaining 2005 budget obligations.

HEALTH, ENERGY AND ENVIRONMENT:

HEALTH AND FAMILY SUPPORT SERVICES (271217)

Minneapolis Urban Health Agenda: Policy Framework for Resource Allocation.

Emergency Preparedness: Quarterly Update.

HEALTH, ENERGY AND ENVIRONMENT (See Rep):

CIVIL RIGHTS (271218)

Latino Advisory Committee: Approve six Mayoral appointments/reappointment for terms to expire December 31, 2007.

HEALTH, ENERGY AND ENVIRONMENT and WAYS & MEANS/BUDGET (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (271219)

Lead Hazard Reduction: Amend contract with Minnesota Remodeling and Restoration to increase bid price for window replacement.

INTERGOVERNMENTAL RELATIONS (See Rep):

COUNCIL MEMBER BENSON (271220)

Instant Runoff Voting: Correspondence received from Minneapolis Better Ballot Campaign re Mpls City Charter proposal to eliminate City primary elections & allow for IRV.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

INSPECTIONS DEPARTMENT (271221)

Chapter 249 Property at 2511 James Av N: Authorize demolition, to be effective August 15, 2006.

INSPECTIONS DEPARTMENT (271222)

Chapter 249 Property at 3448 20th Av S: Authorize demolition.

LICENSES AND CONSUMER SERVICES (271223)

Licenses: Applications.

REGULATORY SERVICES (271224)

Chapter 249 Process: Ordinance amending Title 12, Chapter 249 of Code relating to Housing: Vacant Dwelling or Building, Nuisance Condition, increasing the fee for vacant building registration; creating a revolving fund for abatement of buildings in a nuisance condition; and amending the procedure for holding nuisance abatement hearings; and Resolutions rescinding previous resolution regarding canceling special assessments and charges against tax forfeited properties; and Adopting a new policy for canceling special assessments and charges against tax forfeited properties, with the exception of special assessments that will be re-directed to a revolving fund.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):

FIRE DEPARTMENT (271225)

Staffing for Adequate Fire and Emergency Response (SAFER) Grant: Authorize staff to aggressively pursue the SAFER Grant; Certify that the City has knowledge that Fire Department has submitted the grant application; and Commit to providing necessary funding for 12 full-time firefighters to meet City's cost sharing obligation over the next five years.

TAXES (BOARD OF EQUALIZATION) (See Rep):

CITY CLERK (271226)

Board of Equalization: Report of Special Board of Review.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (271227)

2006 Stormwater Education Program: Receive and file update.

XCEL ENERGY/NSP (271228)

Utility Pole: Install one (1) 45' pole at 37th Av NE & McKinley St, S.R. #481818.

Utility Pole: Install one (1) 45/3 pole at 4601 Bryant Av S to extend feeder cable, Design #163449.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (271229)

Fridley Membrane Filtration Plant: Authorize RFP for engineering services.

Traffic Signal Control System: Authorize addendum to agreement with Fortran Traffic Systems, Ltd. for extension of maintenance contract through June 30, 2006.

Fire Station No. 14: Authorize change order to contract with Rochon Corporation for modifications to architectural, structural, mechanical, and electrical work.

Fire Station No. 14: Authorize amendment increasing contract with Ankeny Kell Architects due to extended project timeframe.

Local Water Surface Management Plan: Direct staff to submit draft Minneapolis Local Surface Water Management Plan to local watershed organizations for review.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (271230)

Bid: OP 5515, authorize increasing contract with Electronic Design Company for security monitoring functions for Government Center and Centre Village Municipal Parking Ramps.

WAYS AND MEANS BUDGET:

ATTORNEY (271231)

Predatory Lending: Documentation

BUSINESS INFORMATION SERVICES (BIS) (271232)

Performance Analysis of BIS and Unisys Outsourcing Contract: Receive and File.

FINANCE DEPARTMENT (271233)

Greater Minneapolis Convention & Visitors Association (GMCVA): Receive and File third loan benchmarks.

WAYS AND MEANS BUDGET (See Rep):

CITY CLERK (271234)

Blog Sites: Passage of Resolution authorizing elected officials to create and maintain city-supported blogs.

COORDINATOR (271235)

New Central Library Project - Change Order: Approve Change Order No. 5 decreasing Contract Number C-20567 with E.R. Berwald Roofing Company, Inc. (\$42,915).

HUMAN RESOURCES (271236)

New Appointed Position: Technology Services Manager: Approve proposed position allocated to grade 11, 540 points and approve annual salary, effective April 1, 2006.

Minneapolis Employee Benefit Consulting Services: Authorize execution of contract with Buck Consultants for consulting services related to Healthcare Plan Management for 2 years.

PUBLIC WORKS AND ENGINEERING (271237)

2007 Nicollet Mall Operating Budget: Resolution approving budget; direction to prepare assessment roll; and Resolution increasing Streets and Malls - Nicollet Mall 2006 Appropriation in the General Fund.

ZONING AND PLANNING:

CITY COUNCIL (271238)

Rezoning: City of Minneapolis (MPD 2nd Precinct, 1911 Central Ave NE, see also 5/12/2006 City Council).

ZONING AND PLANNING (See Rep):

ARTS COMMISSION (271239)

Arts Commission Appointment: Appointment of Katherine Nordahl.

PLANNING COMMISSION/DEPARTMENT (271240)

Vacation:

Extendicare Homes (re block bounded by Clinton Ave S, 26th St E, 3rd Ave S and 25th St E): public alley for use as part of green space for adjacent properties.

FILED:

CHARTER COMMISSION (271241)

Charter Commission Annual Report: 2005 Annual Report.

CHARTER COMMISSION (271242)

Charter Commission Appointments: Orders of Judge Lucy A. Wieland appointing Aaron Street, Andrea Rubenstein, and Kristy Remme, and signed Acceptances and Oaths of Office.

Charter Commission Appointments: Order of Judge Lucy A. Wieland reappointing Margaret Dolan and signed Acceptance and Oath of Office.

CHARTER COMMISSION (271243)

Resignation: Letter of resignation from Commissioner Collier.

The following reports were signed by Mayor Rybak on June 1, 2006, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

REPORTS OF STANDING COMMITTEES

The **CLAIMS** Committee submitted the following report:

Claims - Your Committee recommends passage of the accompanying Resolution denying claims appealed from the Staff Claims Committee.

Adopted 5/26/06.

Absent - Lilligren.

Resolution 2006R-277, denying claims appealed by Chasma Dixon, Tonja Larson, Jonathan Lein, Nancy McNearney, Adam Olson, Tom Runge and Eric Weber/Steve Weber from the Staff Claims Committee to the Claims Committee of the Minneapolis City Council, was adopted 5/26/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-277

By Goodman

Denying claims appealed from the Staff Claims Committee to the Claims Committee of the Minneapolis City Council.

Resolved, by The City Council of The City of Minneapolis:

That the following claims appealed from the Staff Claims Committee to the Claims Committee of the Minneapolis City Council are hereby denied:

- Chasma Dixon, 5305 Greenvue Ln, Golden Valley - Sale of Vehicle (\$1,500)
- Tonja Larson, 2183 Germain St, Maplewood - Towing (\$133)
- Jonathan Lien 214 W 15th S, Minneapolis - Towing (\$200)
- Nancy McNearney, 5355 Cottage Ct, White Bear Lake - Towing (\$133)
- Adam Olson, 1500 LaSalle Av, Minneapolis - Towing (\$133)
- Tom Runge, 13401 Morgan Av, Burnsville - Towing (\$151)
- Eric Weber/Steve Weber, 19150 Michael Av, Hastings - Towing (\$133)

Adopted 5/26/06.

Absent - Lilligren.

The **COMMUNITY DEVELOPMENT** Committee submitted the following reports:

Comm Dev – Your Committee, having under consideration the issuance of revenue bonds to the University Gateway Corporation to fund a standby cooling facility for the McNamara Alumni Center University of Minnesota at 200 Oak St SE, now recommends passage of the accompanying resolution giving preliminary and final approval to the issuance of up to \$310,000 in Tax-exempt 501(c)(3) Bank Qualified Bank Direct Minneapolis Community Development Agency Revenue Bonds, Series 2006, for the University Gateway Project.

Your Committee further recommends that the subject matter be forwarded to the Minneapolis Community Development Agency (MCDA) Board of Commissioners.

Adopted 5/26/06.

Absent - Lilligren.

Resolution 2006R-278, giving preliminary and final approval to and authorizing the financing of a project on behalf of University Gateway Corporation (standby cooling facility for the McNamara Alumni Center University of Minnesota) at 200 Oak St SE, and authorizing the issuance of a revenue bond of the Minneapolis Community Development Agency therefore, was adopted 5/26/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-278

By Goodman

Giving preliminary and final approval to and authorizing the financing of a project on behalf of University Gateway Corporation (the “Company”), and authorizing the issuance of a revenue bond of the Minneapolis Community Development Agency therefore.

Whereas, pursuant to Laws of Minnesota 1980, Chapter 595, as amended (“Chapter 595”), the City Council of the City of Minneapolis, Minnesota (the “City”) established the Minneapolis Community Development Agency (the “Agency”) and granted certain powers and duties to the Agency; and

Whereas, pursuant to such granted powers, the Agency has been authorized to issue revenue obligations for various purposes; and

Whereas, it has been proposed that the Agency issue a revenue bond in the amount of \$310,000 (the “Bond”) to finance the acquisition and installation by the Company of air conditioning equipment for the Company’s University Gateway facility (which includes an alumni and visitor center and rental office building) located at 200 Oak Street SE in the City; and

Whereas, the Agency expects to give final approval to the issuance of the Bond by a resolution to be adopted on the date hereof; and

Whereas, the Bond shall bear interest at a fixed interest rate expected to not exceed 5.50% per annum, shall have a final maturity date not later than December 1, 2026, and shall have such other terms as required or permitted by the Agency’s resolution, which terms are to be incorporated herein by reference;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council hereby gives preliminary and final approval to the issuance by the Agency of the Bond in a principal amount of \$310,000 for the purpose of financing the equipment described above.

Be It Further Resolved that the Bond is hereby designated as a “Program Bond” and is determined to be within the “Economic Development Program” and the “Program,” all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

Adopted 5/26/06.

Absent - Lilligren.

Comm Dev - Your Committee, having under consideration the Village In Phillips Redevelopment Project - Phase 2, now recommends approval of the land exchange request of Center School, Inc of vacant land at 2427 Bloomington Ave for the City-owned property at 2412 - 16th Ave S, and that the proper City officers be authorize to execute the necessary documents and agreements.

Your Committee further recommends passage of the accompanying resolution authorizing the land exchange and sale of property.

Adopted 5/26/06.

Absent - Lilligren.

Resolution 2006R-279, authorizing sale of land, Village In Phillips Redevelopment Project Disposition Parcel No. MC 131-8 (2427 Bloomington Ave S), was adopted 5/26/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-279

By Goodman

Authorizing sale of land, Village In Phillips Redevelopment Project Disposition Parcel No. MC 131-8 (2427 Bloomington Avenue South).

Whereas, the City of Minneapolis, hereinafter known as the City, has offered to acquire, through a land exchange, the property located at 2412 16th Avenue South (Parcel MC 131-22B), in the Village In Phillips Redevelopment Project Area from Center School, Inc., hereinafter known as the Redeveloper, for new alley right-of-way and storm water drainage public improvements; and

Whereas, the Redeveloper has agreed to exchange Parcel MC 131-22B for the City-owned parcel located at 2427 Bloomington Av S (Parcel MC 131-8), in the Village In Phillips Redevelopment Project Area situated in the City of Minneapolis, County of Hennepin, State of Minnesota and described as follows:

LEGAL DESCRIPTION of MC 131-8; 2427 Bloomington Avenue South: Lot 1, Block 1, Bowens Addition to Minneapolis; and

Whereas, the City has determined that the exchange of Parcel MC 131-8 with Redeveloper's Parcel MC 131-22B is reasonable given the comparable reuse values of the two parcels; and the City's desire to acquire Parcel MC 131-22B to construct the new alley right-of-way and other public improvements; and

Whereas, the land exchange is consistent with the purposes of the Village in Phillips Redevelopment Plan; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on May 5, 2006, a public hearing on the proposed exchange was duly held on May 16, 2006, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Village In Phillips Redevelopment Project Plan, as amended, is hereby estimated to be the sum of \$30,000 for Parcel MC 131-8 and \$30,000 for Parcel MC 131-22B.

Be It Further Resolved that the acceptance of the land exchange offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop Parcel MC 131-8 in accordance with the Village In Phillips Redevelopment Plan and/or Program.

Be It Further Resolved that the land exchange proposal be and the same is hereby accepted, subject to the execution of a contract for the exchange and conveyance of land. Furthermore, that the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute

and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of Parcel MC 131-8 to the Redeveloper in accordance with the provisions of the executed contract and upon the exchange and conveyance of Parcel MC 131-22B to the City; provided, however, that this Resolution does not constitute such an exchange and conveyance and no such exchanged and conveyance shall be created until an appropriate contract for the exchange and conveyance of land has been executed by the Finance Officer or other appropriate City official of the City.

Adopted 5/26/06.

Absent - Lilligren.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 1135 Irving Ave N to Twin Cities Habitat for Humanity, Inc for \$1, subject to the following conditions:

- a) Land sale closing must occur on or before 30 days from date of City Council approval;
- b) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

If Twin Cities Habitat for Humanity, Inc fails to close, authorization is given for sale of said property to Chris Aimua and Associates, Inc for \$26,000, subject to the following conditions:

- 1) Land sale closing must occur on or before 30 days from date of the Department of Community Planning & Economic Development (CPED) notification;
- 2) Payment of holding costs of \$150 per month from the date of notification to the date of closing if land sale closing does not occur on or before 30 days from date of CPED notification.

The sale conditions may be waived or amended with the approval of the Director of CPED.

Adopted 5/26/06.

Absent - Lilligren.

Resolution 2006R-280, authorizing sale of land, Near North Side Disposition Parcel No. NN 96-30 (1135 Irving Ave N), was adopted 5/26/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-280

By Goodman

Authorizing sale of land, Near North Side Disposition Parcel No. NN 96-30 (1135 Irving Avenue North).

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop disposition Parcel NN 96-30, in the Near North neighborhood, from Twin Cities Habitat for Humanity, Inc.(TCHF), hereinafter known as the Redeveloper and another offer to purchase and develop Parcel NN 96-30, from Chris Aimua and Associates, Inc. hereinafter known as the Alternate Redeveloper, the Parcel NN 96-30, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION for NN 96-30; 1135 Irving Avenue North: Lot 25, Block 2, Oak Park Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$1 for Parcel NN 96-30 to the City for the land, and the Redeveloper's proposal is in accordance with the a Memorandum of Understanding between the City and TCHF dated December 7, 1998, as amended September 29, 2005 (MOU); and

Whereas, the Alternate Redeveloper has offered to pay the sum of \$26,000 for Parcel NN 96-30 to the City for the land, and the Alternate Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, both the Redeveloper and the Alternate Redeveloper have submitted to the City statements of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on May 5, 2006, a public hearing on the proposed sale was duly held on May 16, 2006, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value of the Parcel is estimated to be \$26,000; however, in accordance with and for such uses as described in the MOU, the City is selling Parcel NN 96-30 for the sum of \$1 to TCHFH.

Be It Further Resolved that the acceptance of the offers and proposals are both hereby determined to be in accordance with the City's approved disposition policy and it is further determined that both the Redeveloper and the Alternate Redeveloper possess the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program, but that the City prefers the Redeveloper's proposal over the Alternate Redeveloper's proposal.

Be It Further Resolved that the Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$150.00 per month from the date of approval of this Resolution if the land sale closing does not occur on or before 30 days from the date of approval.

Be It Further Resolved that if and only if Redeveloper fails to close on the land sale pursuant to the conditions described above, the Alternate Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date of City notification to the Alternate Redeveloper and 2) payment of holding costs of \$150.00 per month from the date of notification if the land sale closing does not occur on or before 30 days from the date of City notification to the Alternate Redeveloper.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Community Planning & Economic Development Director. Furthermore, that the Finance Officer or other appropriate official of the City is hereby authorized consistent with the terms herein to execute and deliver the contract to the Redeveloper or Alternate Redeveloper, as appropriate; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized consistent with the terms herein to execute and deliver a conveyance of the land to the Redeveloper or the Alternate Redeveloper as appropriate in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 5/26/06.

Absent - Lilligren.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 1910 - 25th Ave N to Alpha Community Development Corporation for \$19,200, subject to the following conditions:

- a) Land sale closing must occur on or before 30 days from date of City Council approval;
- b) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Adopted 5/26/06.

Absent - Lilligren.

Resolution 2006R-281, authorizing sale of land, Vacant Housing Recycling Program Disposition Parcel No. JOR 72-7 (1910 - 25th Ave N), was adopted 5/26/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-281

By Goodman

Authorizing sale of land, Vacant Housing Recycling Program Disposition Parcel No. JOR 72-7 (1910 - 25th Avenue North).

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel JOR 72-7, in the Jordan neighborhood, from Alpha Community Development Corporation, hereinafter known as the Redeveloper, the Parcel JOR 72-7, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION for JOR 72-7; 1910 - 25th Avenue North: Lot 13, Block 4, Forest Heights; and

Whereas, the Redeveloper has offered to pay the sum of \$19,200, for Parcel JOR 72-7 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on May 5, 2006, a public hearing on the proposed sale was duly held on May 16, 2006, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Vacant Housing Recycling Program plan, as amended, is hereby estimated to be the sum of \$19,200 for Parcel JOR 72-7.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$150.00 per month from the date of approval of this Resolution if the land sale closing does not occur on or before 30 days from the date of approval.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Community Planning & Economic Development Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 5/26/06.

Absent - Lilligren.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 419 Logan Ave N to Jay D. Nord for \$20,000, subject to the following conditions:

- a) Land sale closing must occur on or before 30 days from date of City Council approval;
- b) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Adopted 5/26/06.

Absent - Lilligren.

Resolution 2006R-282, authorizing sale of land, Harrison Renewal Plan Disposition Parcel No. HAR 17-17 (419 Logan Ave N), was adopted 5/26/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-282

By Goodman

Authorizing sale of land, Harrison Renewal Plan Disposition Parcel No. HAR 17-17 (419 Logan Avenue North).

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel HAR 17-17, in the Harrison neighborhood, from Jay D. Nord, hereinafter known as the Redeveloper, the Parcel HAR 17-17, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of HAR 17-17; 419 Logan Avenue North: Lot 4, Block 8, Maben, White and Le Bron's Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$20,000, for Parcel HAR 17-17 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on May 5, 2006, a public hearing on the proposed sale was duly held on May 16, 2006, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Harrison Renewal plan, as amended, is hereby estimated to be the sum of \$20,000 for Parcel HAR 17-17.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$150.00 per month from the date of approval of this Resolution if the land sale closing does not occur on or before 30 days from the date of approval.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Community Planning & Economic Development Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 5/26/06.

Absent - Lilligren.

Comm Dev - Your Committee, having under consideration the development of properties at 407, 409 and 411 - 33rd Ave N, now recommends passage of the accompanying resolutions:

a) Approving the subdivision of a lot at 409 - 33rd Ave N; and

b) Authorizing sale of the properties at 407 - 33rd Ave N and approximately the east half of 409 - 33rd Ave N; and 411 - 33rd Ave N and approximately the west half of 409 - 33rd Ave N to The Greater Metropolitan Housing Corporation for \$20,500 for each property, subject to the following conditions:

1) Land sale closing must occur on or before 30 days from date of City Council approval;

2) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Adopted 5/26/06.

Absent - Lilligren.

Resolution 2006R-283, approving the subdivision of a lot at 409 - 33rd Ave N, was adopted 5/26/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-283

By Goodman

Approving the subdivision of a lot at 409 - 33rd Avenue North.

Whereas, the City of Minneapolis' Department of Community Planning and Economic Development (CPED) has requested that a parcel of land located at 409 – 33rd Avenue North and legally described

as: That part of Lots 1 and 2, Block 32, "Baker's 4th Addition To Minneapolis" lying West of the East 79 feet and East of the West 38 feet of said Lots 1 and 2. Being registered land as is evidenced by Certificate of Title No. 1142767, be subdivided as follows:

NH662-A ; 409 - 33rd Avenue North (West ½): The West 20 feet of that part of Lots 1 and 2, Block 32, "Baker's 4th Addition To Minneapolis" lying West of the East 79 feet and East of the West 38 feet of said Lots 1 and 2;

NH662-B; 409 - 33rd Avenue North (East ½): That part of Lots 1 and 2, Block 32, "Baker's 4th Addition to Minneapolis" lying West of the East 79 feet and East of the West 38 feet of said Lots 1 and 2, EXCEPT the West 20 feet thereof; and

Whereas, the City of Minneapolis intends to convey the subdivided parcels listed above to the purchasers of the adjacent CPED properties with the following descriptions:

NH662-A to 411- 33rd Avenue North: The West 38 feet of Lots 1 and 2, Block 32, Baker's 4th Addition to Minneapolis Being registered land as is evidenced by Certificate of Title No. 1142768;

NH662-B to 407- 33rd Avenue North: The West 40 feet of the East 79 feet of Lots 1 and 2, Block 32, Baker's 4th Addition to Minneapolis. Being registered land as is evidenced by Certificate of Title No. 1142766; and

Whereas, the proposed subdivision conforms with Minnesota Statutes Section 462.358 and Land Subdivision Regulations adopted by the Minneapolis City Council on July 14, 1995; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on May 5, 2006, a public hearing on said subdivision and proposed sale was duly held in a meeting of the Community Development Committee of the City Council at 1:30 p.m., May 16, 2006, in Room 317, Minneapolis City Hall, 350 South 5th Street, in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the division of the above described property be approved and the requirement of a subdivision plat be waived.

Be It Further Resolved that a certified copy of this resolution shall be attached to the deeds conveying the subdivided parcels.

Adopted 5/26/06.

Absent - Lilligren.

Resolution 2006R-284, authorizing sale of land GMHC Century Homes Program Disposition Parcel No GC-280 & GC-281 (407 and 411 - 33rd Ave N), was adopted 5/26/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-284

By Goodman

Authorizing sale of land GMHC Century Homes Program Disposition Parcel No GC-280 & GC-281 (407 and 411 - 33rd Avenue North).

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel GC-280 and Parcel GC-281, in the McKinley neighborhood, from The Greater Metropolitan Housing Corporation, hereinafter known as the Redeveloper, the Parcel GC-280 and Parcel GC-281, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

Legal Description of GC-280; 407 - 33rd Avenue North: The West 40 feet of the East 79 feet of Lots 1 and 2, Block 32, "Baker's 4th Addition To Minneapolis". Being registered land as is evidenced by Certificate of Title No. 1142766 and That part of Lots 1 and 2, Block 32, "Baker's 4th Addition To Minneapolis" lying West of the East 79 feet and East of the West 38 feet of said Lots 1 and 2, EXCEPT the West 20 feet thereof. Being registered land as is evidenced by Certificate of Title No. 1142767, which covers other land;

Legal Description of GC-281; 411 - 33rd Avenue North: The West 38 feet of Lots 1 and 2, Block 32, "Baker's 4th Addition to Minneapolis". Being registered land as is evidenced by Certificate of Title No. 1142768 and The West 20 feet of That part of Lots 1 and 2, Block 32, "Baker's 4th Addition To Minneapolis" lying West of the East 79 feet and East of the West 38 feet of said Lots 1 and 2. Being registered land as is evidenced by Certificate of Title No. 1142767, which covers other land; and

Whereas, the Redeveloper has offered to pay the sum of \$20,500 each, for Parcel GC-280 and Parcel GC-281 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on May 5, 2006, a public hearing on the proposed sale was duly held on May 16, 2006, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the GMHC Century Homes Program plan, as amended, is hereby estimated to be the sum of \$20,500 each for Parcel GC-280 and Parcel GC-281.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$150.00 per month from the date of approval of this Resolution if the land sale closing does not occur on or before 30 days from the date of approval.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Community Planning & Economic Development Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 5/26/06.

Absent - Lilligren.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 1929 Newton Ave N to Willenbring Companies, Inc for \$18,000, subject to the following conditions:

- a) Land sale closing must occur on or before 30 days from date of City Council approval;
- b) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

If Willenbring Companies, Inc fails to close, authorization is given for sale of said property to Twin Cities Habitat for Humanity, Inc for \$1, subject to the following conditions:

- 1) Land sale closing must occur on or before 30 days from date of the Department of Community Planning & Economic Development (CPED) notification;
 - 2) Payment of holding costs of \$150 per month from the date of notification to the date of closing if land sale closing does not occur on or before 30 days from date of CPED notification.
- The sale conditions may be waived or amended with the approval of the Director of CPED.
Adopted 5/26/06.
Absent - Lilligren.

Resolution 2006R-285, authorizing sale of land Willard Homewood Disposition Parcel No WH 23-19 (1929 Newton Ave N), was adopted 5/26/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-285
By Goodman

Authorizing sale of land Willard Homewood Disposition Parcel No WH 23-19 (1929 Newton Avenue North).

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop disposition Parcel WH 23-19, in the Willard Hay neighborhood, from Willenbring Companies, Inc., hereinafter known as the Redeveloper and another offer to purchase and develop Parcel WH 23-19, from Twin Cities Habitat for Humanity, Inc. (TCHF) hereinafter known as the Alternate Redeveloper, the Parcel WH 23-19, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of WH 23-19; 1929 Newton Avenue North: Lot 3, Block 25, Forest Heights; and

Whereas, the Redeveloper has offered to pay the sum of \$18,000, for Parcel WH 23-19 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Alternate Redeveloper has offered to pay the sum of \$1 for Parcel WH 23-19 to the City for the land, and the Alternate Redeveloper's proposal is in accordance with the a Memorandum of Understanding between the City and TCHF dated December 7, 1998, as amended September 29, 2005 (MOU); and

Whereas, both the Redeveloper and the Alternate Redeveloper have submitted to the City statements of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on May 5, 2006, a public hearing on the proposed sale was duly held on May 16, 2006, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Willard Homewood plan, as amended, is hereby estimated to be the sum of \$18,000 for Parcel WH 23-19; however, in accordance with and for such uses as described in the MOU, the City is selling Parcel WH 23-29 for the sum of \$1 to TCHF.

Be It Further Resolved that the acceptance of the offers and proposals are both hereby determined to be in accordance with the City's approved disposition policy and it is further determined that both the Redeveloper and the Alternate Redeveloper possess the qualifications and financial resources

necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program, but that the City prefers the Redeveloper's proposal over the Alternate Redeveloper's proposal.

Be It Further Resolved that the Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$150.00 per month from the date of approval of this Resolution if the land sale closing does not occur on or before 30 days from the date of approval.

Be It Further Resolved that if and only if Redeveloper fails to close on the land sale pursuant to the conditions described above, the Alternate Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date of City notification to the Alternate Redeveloper and 2) payment of holding costs of \$150.00 per month from the date of notification if the land sale closing does not occur on or before 30 days from the date of City notification to the Alternate Redeveloper.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Community Planning & Economic Development Director. Furthermore, that the Finance Officer or other appropriate official of the City is hereby authorized consistent with the terms herein to execute and deliver the contract to the Redeveloper or Alternate Redeveloper, as appropriate; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized consistent with the terms herein to execute and deliver a conveyance of the land to the Redeveloper or the Alternate Redeveloper as appropriate in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 5/26/06.

Absent - Lilligren.

Comm Dev - Your Committee, having under consideration the Heritage Park Redevelopment Project – Phases 3 and 4, now recommends that an additional 60 days be authorized for the proper City officers to negotiate a term sheet with Centex Homes – Minnesota Division for Phases 3 and 4 of Heritage Park, to enable Community Planning & Economic Development engineering staff to complete their review and analysis of existing soil conditions (contamination and geotechnical) and Centex's proposal to correct these site conditions, as well as establishing the "as is" fair market value.

Adopted 5/26/06.

Absent - Lilligren.

The **COMMUNITY DEVELOPMENT** and **TRANSPORTATION & PUBLIC WORKS** Committees submitted the following report:

Comm Dev & T&PW - Your Committee, having under consideration the Village in Phillips Redevelopment Project - Phase 2, now recommends that the proper City officers be authorized to execute the directives contained in Attachment 1 of the Department of Public Works staff report which will allow realignment of the alley, using the parcel at 2412 - 16th Ave S, and using a portion of the parcel for a regional storm water facility that will treat runoff from a number of properties and from the right-of-way, with the remainder of that parcel being a surplus, landscaped strip south of the alley.

Adopted 5/26/06.

Absent - Lilligren.

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

Comm Dev & W&M/Budget - Your Committee, having under consideration the sale of City-owned property as part of the Grain Belt Housing Project - Phase 1, now recommends passage of the accompanying resolution authorizing the sale of properties at 1221 Marshall St NE, 130 - 13th Ave NE and 132-34 - 13th Ave NE to Sheridan Development Company, LLC for the fair re-use value of \$2,000,000.

Your Committee further recommends passage of the accompanying resolution increasing the Community Planning and Economic Development (CPED) Department appropriation by \$2,000,000 to reflect the receipt of funds.

Adopted 5/26/06.

Absent - Lilligren.

Resolution 2006R-286, authorizing sale of land for the Grain Belt Housing Project, Disposition Parcel Nos. GB-2&3B, GB-11 & GB-13 (1221 Marshall St NE, 130 - 13th Ave NE and 132-34 - 13th Ave NE), was adopted 5/26/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-286
By Goodman and Ostrow

Authorizing sale of land for the Grain Belt Housing Project, Disposition Parcel Nos. GB-2&3B, GB-11 & GB-13 (1221 Marshall Street Northeast, 130 - 13th Avenue Northeast and 132-34 - 13th Avenue Northeast).

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcels GB-2&3B, GB-11 & GB-13, in the Sheridan neighborhood, from Sheridan Development Company, LLC, hereinafter known as the Redeveloper, the Parcels GB-2&3B, GB-11 & GB-13, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION: Lots 1, 3, 4, and 5, Block 1, Grain Belt Brewery Lofts Addition to the City of Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$2,000,000, for Parcels GB-2&3B, GB-11 & GB-13 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on May 5, 2006, a public hearing on the proposed sale was duly held on May 16, 2006, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Grain Belt Brewery plan, as amended, is hereby estimated to be the sum of \$2,000,000 for Parcels GB-2&3B, GB-11 & GB-13.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 5/26/06.

Absent - Lilligren.

RESOLUTION 2006R-287
By Goodman and Ostrow

Amending the 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the revenue source for the Community Planning and Economic Development Agency in the Grain Belt Housing Fund (CGH0-890-8490) by \$2,000,000.

Adopted 5/26/06.

Absent - Lilligren.

Comm Dev & W&M/Budget - Your Committee recommends acceptance of the low bid submitted to the Department of Community Planning & Economic Development on OP No. 6608 from Collins Electrical Systems, Inc., dba ColliSys, in the amount of \$689,400 to furnish all labor, materials, equipment, and incidentals necessary to accomplish the complete replacement of the lighting control system at the Target Center.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for this project, all in accordance with City specifications and contingent upon approval of the Civil Rights Department.

Adopted 5/26/06.

Absent - Lilligren.

Comm Dev & W&M/Budget - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals for architectural and engineering services at the Target Center, as set forth in the Department of Community Planning & Economic Development staff report.

Adopted 5/26/06.

Absent - Lilligren.

Approved by Mayor Rybak 5/30/06.

(Published 6/1/06)

Comm Dev & W&M/Budget - Your Committee, having under consideration the City's Request for Proposal (RFP) procurement policy for professional service contracts above \$50,000, now recommends approval of a temporary waiver from said policy to allow the City to enter into multiple Standard Agreements with Leo A Daly, on an interim basis, to provide architectural, engineering, and project management services at the Target Center during the period of time necessary to compete the RFP process, and that the proper City officers be authorized to execute a contract with the successful RFP respondent.

Adopted 5/26/06.

Absent - Lilligren.

Approved by Mayor Rybak 5/30/06.

(Published 6/1/06)

Comm Dev & W&M/Budget - Your Committee, having under consideration funding for the Northeast Community Development Corporation's Central Avenue marketing and retail recruitment program, now recommends that the proper City officers be authorized to negotiate and execute a contract for professional services by and between the City of Minneapolis and the Northeast Community Development Corporation in the amount of \$25,000 to provide retail recruitment, branding and marketing services on Central Ave for a term effective 6/1/06 and continuing until 5/31/07.

Your Committee further recommends passage of the accompanying resolution increasing the Community Planning and Economic Development Department appropriation by \$25,000 to provide funds for said services.

Adopted 5/26/06.

Absent - Lilligren.

(Republished 6/23/06)

RESOLUTION 2006R-288
By Goodman and Ostrow

Amending the 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Community Planning and Economic Development Agency in the Community Development 595 Levy Fund (SCD0-890-8933-SCDCC01) by \$25,000.

Adopted 5/26/06.

Absent - Lilligren.

Comm Dev & W&M/Budget - Your Committee, having under consideration a request to reprogram up to \$500,000 of Residential Finance Mortgage program income to Heritage Housing, LLC to be provided to qualified purchasers as second mortgage loans under the Sumnerfield Affordable Ownership Program, now recommends approval said request for the Heritage Park Redevelopment Project.

Your Committee further recommends passage of the accompanying resolution increasing the Community Planning and Economic Development (CPED) Department appropriation by \$500,000 to provide funding for said request.

Adopted 5/26/06.

Absent - Lilligren.

RESOLUTION 2006R-289
By Goodman and Ostrow

Amending the 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Community Planning and Economic Development Agency in the Residential Finance Fund (SRF0-890-8952) by \$500,000.

Adopted 5/26/06.

Absent - Lilligren.

Comm Dev & W&M/Budget - Your Committee, having under consideration the request of the Neighborhood Revitalization Program for an increase to the 2006 NRP Administrative Budget to satisfy remaining 2005 budget obligations rolled over to the 2006 NRP administrative budget, now recommends:

a) Approval of an increase of \$126,982.25 to the 2006 NRP Administrative Budget to satisfy remaining 2005 budget obligations;

b) Passage of the accompanying resolution increasing the Community Planning and Economic Development (CPED) Department appropriation by \$125,982.25 in the NRP fund; and

c) That the proper City officers be authorized to enter into any contracts or agreements needed to implement this request.

Your Committee further recommends that NRP staff strive to budget appropriately during the annual budget process, and be directed to not submit mid-year budget adjustment requests in the future.

Adopted 5/26/06.

Absent - Lilligren.

RESOLUTION 2006R-290
By Goodman and Ostrow

Amending the 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Community Planning and Economic Development Agency in the NRP Program Fund (CNR0-890-3550) by \$125,982.25.

Adopted 5/26/06.

Absent - Lilligren.

The **HEALTH, ENERGY & ENVIRONMENT** Committee submitted the following report:

HE&E - Your Committee recommends concurrence with the recommendation of the Mayor to appoint/reappoint the following persons to serve on the Latino Advisory Committee for two-year terms to expire December 31, 2007:

Reappointment

Sharifa Elaraj (employed in Ward 7)

Appointments

James Carlson Otero, Ward 9

Rosita Balch, Ward 9

Aureliano Maria DeSoto, Ward 10

Gloria Liliana Rivera-Quinones, Ward 6

Luisa Cabello Hansel, Ward 6

Lorna Grauvilardell, Ward 4.

Adopted 5/26/06.

Absent – Lilligren.

The **HEALTH, ENERGY & ENVIRONMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following report:

HE&E & W&M/Budget – Your Committee, having under consideration the provision of lead hazard reduction services, now recommends that the proper City officers be authorized to amend Contract #C-21622 with Minnesota Remodeling and Restoration by increasing the prices for window replacement, as follows, to be in effect from April 1, 2006:

a. Specification #M-9210, Jamb Liner Package, from #390 per unit to \$490 per unit.

b. Specification #M-9211, Vinyl Window with Storm, from \$390 per unit to \$490 per unit.

Adopted 5/26/06.

Absent – Lilligren.

The **INTERGOVERNMENTAL RELATIONS** Committee submitted the following report:

IGR - Your Committee, to whom was referred a proposed ordinance amending Chapter 2 of the Minneapolis City Charter relating to Officers—Elections, eliminating primary elections for City offices, amending filing dates, and allowing for Single Transferable Vote, sometimes known as Ranked Choice voting or Instant Runoff Voting, now recommends that the proposed ordinance be referred to the

Minneapolis Charter Commission for consideration and for submittal to the qualified voters of the City for adoption or rejection at the general election to be held November 7, 2006, pursuant to the provisions of Minnesota Statutes 410.12, Subdivision 5.

Hofstede moved to amend the report by adding the following direction to staff: "The City Clerk's Office is directed to examine the feasibility of implementing alternative voting processes in addition to instant runoff voting, such as computer voting, telephone voting, and voting by mail and to direct the City Clerk's Office to work with Finance Department staff to determine the budget implications of designing, implementing and maintaining each alternative voting process." Seconded.

Lost upon a voice vote.

The report was adopted 5/26/06. Yeas, 11; Nays, 1 as follows:

Yeas - Glidden, Remington, Benson, Goodman, Hodges, Samuels, Gordon, Hofstede, Ostrow, Schiff, Colvin Roy.

Nays - Johnson.

Absent - Lilligren.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS - Your Committee, to whom was referred an ordinance amending Title 12, Chapter 249 of the Minneapolis Code of Ordinances relating to *Housing: Vacant Building or Dwelling, Nuisance Condition*, increasing the fee for vacant building registration; creating a revolving fund for abatement of buildings in a nuisance condition; and amending the procedure for holding nuisance abatement hearings, now recommends that said ordinance be given its second reading for amendment and passage. Said ordinance shall not become effective until October 1, 2006.

Your Committee further recommends passage of the accompanying Resolutions:

a. rescinding Resolution 97R-409 entitled "Amending Resolution 96R-089 entitled Rescinding Resolutions 89R-423 and 93R-211 and adopting a new policy for canceling special assessments and charges against tax forfeited properties", passed December 18, 1997.

b. adopting a new policy for canceling special assessments and charges against tax forfeited properties, with the exception of special assessments to reimburse distributions made pursuant to revolving funds created under Title 12 of the Minneapolis Code of Ordinances.

Adopted 5/26/06.

Absent – Lilligren.

Ordinance 2006-Or-059 amending Title 12, Chapter 249 of the Minneapolis Code of Ordinances relating to *Housing: Vacant Dwelling or Building, Nuisance Condition*, amending Sections 249.30; 249.40; 249.45; 249.50; 249.65; and 249.80 to increase the fee for vacant building registration; create a revolving fund for abatement of buildings in a nuisance condition; and amend the procedure for holding nuisance abatement hearings, was adopted 5/26/06 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2006-Or-059

By Samuels

Intro & 1st Reading: 3/10/06

Ref to: PS&RS

2nd Reading: 5/26/06

Amending Title 12, Chapter 249 of the Minneapolis Code of Ordinances relating to Housing: Vacant Dwelling or Building, Nuisance Condition.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 249.30 of the above-entitled ordinance be amended to read as follows:

249.30. "Nuisance condition" defined; waiver of waiting period. (a) A building within the city shall be deemed a nuisance condition if:

- (1) It is vacant and unoccupied for the purpose for which it was erected and for which purpose a certificate of occupancy may have been issued, and the building has remained substantially in such condition for a period of at least six (6) months; or
- (2) The building is unfit for occupancy as it fails to meet the minimum standards set out by city ordinances before a certificate of code compliance could be granted, or is unfit for human habitation because it fails to meet the minimum standards set out in the Minneapolis housing maintenance code, or the doors, windows and other openings into the building are boarded up or otherwise secured by a means other than the conventional methods used in the original construction and design of the building, and the building has remained substantially in such condition for a period of at least sixty (60) days; or
- (3) Evidence, including but not limited to neighborhood impact statements, clearly demonstrates that the values of neighborhood properties have diminished as a result of deterioration of the subject building; or
- (4) Evidence, including but not limited to rehab assessments completed by ~~the MDCA CPED~~, clearly demonstrates that the cost of rehabilitation is not justified when compared to the after rehabilitation resale value of the building.

(b) When it is determined by the ~~d~~Director of iInspections ~~and or~~ the city fFire mMarshal that a building constitutes an immediate hazard to the public health and safety, and after approval by the city council, the sixty-day waiting period set out in this section may be waived and the other procedures, as set out in this chapter, may be implemented immediately.

(c) Notwithstanding the foregoing provisions, accessory buildings such as garages, barns and other similar structures, not intended to be used for human habitation, shall be deemed to constitute a nuisance condition when such buildings are in violation of section 244.1560 of the housing maintenance code which regulates nondwelling structures or when such accessory buildings are structurally unsound in the opinion of the ~~d~~Director of iInspections.

Section 2. That Section 249.40 of the above-entitled ordinance be amended read as follows:

249.40. Abatement of nuisance condition. ~~Upon completion of the procedures set forth in this chapter, and approval by the city council, b~~Buildings determined to be a nuisance condition may be rehabilitated or razed by order of the Director of Inspections.

- (1) Before any action is taken to abate a nuisance condition, except as provided in section 249.25 relating to securing vacant buildings, the division Director of iInspections shall examine the building to ascertain whether the nuisance condition should be ordered for rehabilitation or demolition. Among the criteria to be considered by the division of inspections, and the Minneapolis Community Development Agency (MCDA) and the planning department are the following:
 - a. The need for neighborhood housing;
 - b. The historic value of the building;

- c. The impact on the neighborhood and the ability of the neighborhood to attract future residents;
 - d. The capacity of the neighborhood to use the property;
 - e. The zoning and comprehensive plan classifications for the property use;
 - f. The market potential for the property;
 - g. The estimated cost of rehabilitation;
 - h. The severity and the history of neglect;
 - i. The availability of funds for rehabilitation to the owner;
 - j. The structural condition of the building.
- (2) If the Director of Inspections determines that the building is a nuisance condition, the Director of Inspections shall order the building to be demolished, or rehabilitated. The Director may impose any and all conditions deemed appropriate to ensure compliance with the order.
- (2)(3) Before the execution of any order to demolish or rehabilitate a building under this chapter, the division of inspections shall give notice of hearing the Director's order to demolish or rehabilitate the building at the last known address to the owner and other persons shown to have an interest in the building deemed to create a nuisance condition. Proper notice shall be sufficiently given when mailed by certified mail return receipt requested, postage prepaid, addressed to the owner to whom the building is registered with the division of inspections or, if not registered, to the owner or other persons shown to have an interest in the property as ascertained by the files and records of the register of deeds or registrar of titles in and for Hennepin County. Such notice shall also be given to such persons that the Director of inspections has actual knowledge of having an interest in the said property. In addition, such notice shall be served by three (3) weeks' published notice in any newspaper of general circulation in the City of Minneapolis as provided for in Minnesota Rules of Civil Procedure and by posting such notice at the street entrance to such building. The notice shall state: Such notice of hearing before an appropriate council committee shall contain the director's determination, recommendation and the date, time and place of the hearing. In addition, notice of the hearing shall be sent to all property owners within three hundred fifty (350) feet of the subject property and to the neighborhood organization in which the property is located. Notice to the owners, or other party with an interest in the property, shall inform the owner and party of (a) the right to appear individually or through a representative or to submit a written statement, (b) the right to examine witnesses at the hearings and offer such evidence as may bear on the decision to demolish or rehabilitate the building, and (c) that the hearing will be recorded. Neighborhood organization and owners of property within three hundred fifty (350) feet of the subject property shall be entitled to present joint or individual neighborhood impact statements to the hearing committee. The neighborhood impact statements shall specifically address the items contained in section 249.40(1)a., b., c. and d., and such other relevant material as may be offered.
- (a) That the Director has determined that the building is a nuisance condition as defined by Section 249.30 and that the building is to be demolished or rehabilitated. If the Director is ordering that the building be rehabilitated, the notice shall state all of the conditions that are to be imposed.

- (b) The specific reasons the building has been determined to constitute a nuisance condition.
 - (c) That unless the notice is appealed within twenty-one (21) days of the date the notice was mailed, in the manner provided in section 249.45, the division of inspections will proceed to demolish the building or that the division of inspections will impose the conditions of rehabilitation on the property.
 - (d) The notice shall describe how an appeal may be filed under section 249.45.
 - (e) The notice shall state that the owner of the property will be responsible for the payment of all costs incurred by the City in razing or rehabilitating the building, as well as an administrative fee of fifteen (15) percent of the cost. The notice shall state that if the costs are unpaid, the costs and the administrative fee shall be levied and collected as a special assessment against the property as provided for under section 227.100
- (3) At the hearing, the division of inspections shall present an oral summary of the background and reasons for its recommendation. A report, including any pertinent documents and photos shall be filed as part of the record. All parties having an interest in the property may review department documents, subject to restrictions in the Government Data Practices Act, prior to the hearing, and shall be permitted to present evidence in support of their position. Parties having an interest in the property shall have the right to question witnesses at the hearing. Neighborhood organizations and property owners within three hundred fifty (350) feet of the subject property shall be permitted to testify. Neighborhood impact statements, if offered, shall be made a part of the record.
- (4) Any interested parties seeking to demonstrate the feasibility of rehabilitation, shall, at least 48 hours prior to the hearing, provide to the division a statement itemizing the cost to rehabilitate the building.
- (4) If no appeal is received within twenty-one (21) days of the notice being mailed, the department of inspections may proceed with the Director's determination to demolish the building by razing the building, or may proceed with the Director's determination to rehabilitate the building by imposing the conditions set forth in the notice.
- (5) When the owner of a property, that has received a Director's order to demolish or rehabilitate the property, intends to sell an interest in the property, the owner must disclosure to the purchaser that a Director's order to demolish or rehabilitate the property has been previously issued.

Section 3. That Chapter 249 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 249.45 to read as follows:

249.45. Abatement of nuisance condition appeals. (a) There is hereby created a nuisance condition process review panel. The panel shall consist of the Director of Operations, Licenses and Environmental Services, the Fire Marshal, the Director of Housing Policy and Development, and the City Assessor or their designees. Three members of the panel shall constitute a quorum. The panel shall make decisions by a majority vote. The Director of Inspections' order, as set forth in the notice, shall be upheld if the panel is deadlocked.

- (b) The panel shall have authority to hear and decide all appeals from the Director of Inspections' order to demolish or rehabilitate a nuisance condition building. The panel shall uphold or overturn the Director's determination that the building is a nuisance condition as defined by section 249.30 and shall uphold or overturn the Director's determination that the building should be demolished or rehabilitated. If the Director of Inspections imposes conditions on an order to rehabilitate the building, the panel shall have the authority to uphold, modify or overturn those conditions.

- (c) Any person wishing to appeal a determination of the Director of Inspections ordering demolition or rehabilitation shall file a written notice of appeal with the department of inspections within twenty-one (21) days after receipt of the Director's order. The notice shall contain a statement of the grounds for the appeal. The notice of appeal shall be accompanied by a fee of three hundred dollars (\$300.00).
- (d) The panel shall meet at the call of the chair to hear appeals. The panel shall notify the owner and any other person known to have an interest in the property in writing of the time and place of the hearing. In addition, notice of the hearing shall be sent to all property owners within three hundred fifty (350) feet of the subject property and to any neighborhood organization in which the property is located.
- (e) Notice to the owners, or other parties with an interest in the property, shall inform the owner and parties of (1) the right to appear individually or through a representative or to submit a written statement, (2) the right to examine witnesses at the hearings and offer such evidence as may bear on the decision to demolish or rehabilitate the building, and (3) that the hearing will be recorded. Neighborhood organizations and owners of property within three hundred fifty (350) feet of the subject property shall be entitled to present joint or individual neighborhood impact statements to the panel. The neighborhood impact statements shall specifically address the items contained in section 249.40 (1) a., b., c. and d., and such other relevant material as may be offered.
- (f) At the hearing, the panel shall hear all relevant evidence and argument. The panel may admit and give probative effect to evidence that possesses probative value commonly accepted by reasonably prudent persons in the conduct of their affairs. The panel shall record the hearing and keep a record of documentary evidence submitted.
- (g) At the hearing, the division of inspections shall present an oral summary of the background and reasons for its recommendation. A report, including any pertinent documents and photos shall be filed as part of the record. All parties having an interest in the property may review department documents, subject to restrictions in the Government Data Practices Act, prior to the hearing, and shall be permitted to present evidence in support of their position. Parties having an interest in the property shall have the right to question witnesses at the hearing.
- (h) The panel shall render its decision in writing within thirty (30) days after the close of the hearing. The panel shall determine whether the building meets the definition of nuisance condition as set forth in section 249.30 and whether the Director of Inspections' order to demolish or rehabilitate the building should be upheld or overturned and shall specify the factual and legal basis for the determination. The panel shall make its determination based upon the preponderance of the evidence.
- (i) The panel shall mail a copy of its decision to the appellant.
- (j) The panel shall refer its decision to the city council, which shall have the final authority to determine whether the building is a nuisance condition as set forth in section 249.30 and whether the building should be rehabilitated or razed. The panel's findings shall include the date and time of the hearing before the public safety and regulatory services committee. The public safety and regulatory services committee may hear arguments from the appellants, but shall take no further evidence.

Section 4. That Section 249.50 of the above-entitled ordinance be amended to read as follows:

249.50. Alternatives to demolition. (a) The ~~committee and the~~ city council may consider as an alternate to demolition:

- (1) Ordering the owner of any nuisance condition to rehabilitate the building and specifying the time within which such rehabilitation shall occur.

If rehabilitation is the alternative required by the city council, the owner shall present a plan for rehabilitation to the ~~d~~Director of ~~i~~nspections that shall contain a commitment of funds to accomplish the plan.

If the plan required herein is not received by the ~~d~~Director of ~~i~~nspections within the time ordered by the council, the city shall proceed to demolish the building.

- (2) If the owner is, for any reason, unwilling or unable to immediately rehabilitate the building, the city may elect to rehabilitate and assess the cost thereof provided that the estimated cost may not exceed fifty (50) percent of the estimated after-rehabilitation market value of the property. Such costs shall be assessed against the property, in the manner provided for in section 249.60.
- (3) Notwithstanding the limitations of section 249.50(a)(2), and in order to make funds available for rehabilitation, the city may, to the extent neighborhood action plans of the neighborhood revitalization program allow, create a revolving fund for housing purposes to be used in the neighborhood for which the funds have been earmarked. The city may receive applications and consider, where appropriate, loans to owners for housing rehabilitation purposes.

(b) ~~After the hearing, t~~The ~~committee~~ city council shall ~~recommend order~~ demolition or rehabilitation of the building. ~~Division of inspections staff shall prepare findings and an order based upon the evidence and record of the hearing. The committee~~ city council shall make the findings and such order as it deems appropriate based upon the evidence and record of the appeal hearing. The ~~committee~~ city council may also impose any and all conditions it deems appropriate. These conditions may include the posting of a performance bond in an amount not to exceed the estimated cost of rehabilitation. The public safety and regulatory services committee may postpone its decision and order the owner to update the committee at a future date on the progress of rehabilitation. ~~After council approval t~~The order shall be mailed to the last known address of the owner to whom the building is registered with the division of inspections or, if not registered, to persons shown to have an interest in the property as ascertained by the files and records of the registrar of deeds or registrar of titles in and for Hennepin County.

(c) The owner of the subject property shall comply with the city council's decision and order. If the owner fails to abide by the order, the ~~d~~Director of ~~i~~nspections shall immediately notify the ~~committee~~ the city council ~~that which~~ may then order immediate demolition or otherwise amend its order.

Section 5. That Chapter 249 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 249.65 to read as follows:

249.65. Revolving fund for abatement of buildings in a nuisance condition. The department of inspections shall maintain a revolving fund to be known as the nuisance building abatement fund (hereinafter referred to as "the fund"). The fund may be drawn upon to perform abatement of buildings within the city that have been deemed to be a nuisance condition pursuant to Chapter 249. All costs and fees incurred abating buildings that are a nuisance condition, including appropriate interest, shall be recovered from the property owner pursuant to section 249.60 and 227.100. The fund shall be credited with the collection of the costs and fees recovered. Disbursements from the fund shall not be subject to the provisions and requirements of the procurement process of the city.

Section 6. That Section 249.80 (i) of the above-entitled ordinance be amended to read as follows:

249.80. Vacant building registration.

(i) Vacant building fees:

- (1) The owner of a vacant building shall pay an annual fee of ~~four hundred dollars (\$400.00)~~ two thousand dollars (\$2000.00). The fee is imposed to defray the administrative costs for registering and processing the vacant building registration form and for the costs of the city in monitoring the vacant building site.
- (2) The first annual fee shall be paid no later than five (5) days after the building becomes vacant. Subsequent annual fees shall be due on the anniversary date of initial vacancy. The fees shall be paid in full prior to the issuance of any building permits, with the exception of a demolition permit.
- (3) Unpaid fees shall be levied and collected as a special assessment against the property as provided for under section 227.100, with interest at the rate of eight (8) percent per annum on the unpaid balance thereof. Upon transfer of ownership, the new owner(s) shall be responsible for all unpaid and subsequent annual fees.

Adopted 5/26/06.

Absent – Lilligren.

RESOLUTION 2006R-291

By Samuels

Rescinding Resolution 97R-409 entitled “Amending Resolution 96R-089 entitled Rescinding Resolutions 89R-423 and 93R-211 and adopting a new policy for canceling special assessments and charges against tax forfeited properties”, passed December 18, 1997.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution be and is hereby rescinded.

Adopted 5/26/06.

Absent – Lilligren.

Resolution 2006R-292, adopting a new policy for canceling special assessments and charges against tax-forfeited properties, with the exception of special assessments to reimburse distributions made pursuant to revolving funds created under Title 12 of the Minneapolis Code of Ordinances, was adopted 5/26/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-292

By Samuels

Adopting a new policy for canceling special assessments and charges against tax-forfeited properties, with the exception of special assessments to reimburse distributions made pursuant to revolving funds created under Title 12 of the Minneapolis Code of Ordinances.

Resolved by The City Council of The City of Minneapolis

Whereas, the City Council has previously adopted Resolution 89R-423 canceling certain special assessments and charges against tax-forfeited properties purchased by the general public and

Resolution 93R-211 canceling certain special assessments and charges against tax-forfeited properties purchased by the Minneapolis Community Development Agency (MCDA); and

Whereas the City Council has previously adopted Resolution 96R-089 and Resolution 97R-409 which adopted a new policy for canceling special assessments and charges against tax-forfeited properties; and

Whereas in Resolution 96R-089 and Resolution 97R-409 the City Council found that there are an increasing number of parcels of property located within the City of Minneapolis, the ownership of which has been forfeited to the State of Minnesota for failure to pay real estate taxes; and

Whereas in Resolution 96R-089 and Resolution 97R-409 the City Council found that the potential assessment or reassessment of pre-forfeiture charges, including past due public utility bills (water, sewer and solid waste removal) canceled at the time of forfeiture, and the addition of post-forfeiture charges to the sale price of tax-forfeited properties (and the assessment of service charges incurred between the date of forfeiture and the date of sale) have a detrimental effect on the market for such properties; and

Whereas in Resolution 96R-089 and Resolution 97R-409 the City Council found that no tax-forfeited property has sold at public auction prior to the one-year waiting period when special assessments and charges have exceeded the property's fair market value; and

Whereas in Resolution 96R-089 and Resolution 97R-409 the City Council found that tax forfeited properties are detrimental to the public health, safety and welfare and require the City of Minneapolis to spend additional funds for their upkeep and maintenance; and

Whereas the conditions set forth by Resolution 96R-089, as amended by Resolution 97R-409 continue to exist; and

Whereas, the City Council has created a system revolving funds pursuant to Title 12 of the Minneapolis Code of Ordinances to provide for the emergency repair of rental property pursuant to procedures set forth in Minnesota Statute Section 504B.425 and 504B.445 (Tenants Remedy Actions) and to provide for abatement of buildings in a nuisance condition; and

Whereas, the effectiveness of revolving funds created pursuant to Title 12 of the Minneapolis Code of Ordinances require that disbursements from the revolving funds be restored to the revolving funds via the special assessment process;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the policy with respect to tax-forfeited properties sold to the general public shall be:

1. To cancel that portion of all post-forfeiture special assessments, pending assessments and charges in excess of fair market value if Hennepin County has not sold a tax-forfeited property within 90 days after the date it is first offered to the public; and

2. To waive its right to assess or reassess pre-forfeiture and post forfeiture special assessments, pending assessments and charges related to nuisance abatement activities under Chapter 227 and similar provisions of the Minneapolis Code of Ordinances. The City of Minneapolis may, however, assess or reassess special assessments, pending assessments and charges for public improvements and for distributions made from revolving funds created pursuant to Title 12 of the Minneapolis Code of Ordinances.

Be It Further Resolved that the policy of the City of Minneapolis with respect to tax-forfeited properties located in targeted neighborhoods and purchased by the Community Planning and Economic Development (CPED) for redevelopment purposes shall be:

1. To cancel all post-forfeiture special assessments, pending assessments and charges in excess of fair market value; and

2. To waive its right to assess or reassess pre-forfeiture and post forfeiture special assessments, pending assessments and charges related to nuisance abatement activities under Chapter 227 and similar provisions of the Minneapolis Code of Ordinances. The City of Minneapolis may, however, assess or reassess special assessments, pending assessments and charges for public improvements and for distributions made from revolving funds created pursuant to Title 12 of the Minneapolis Code of Ordinances.

Be It Further Resolved that the City Council hereby authorizes and directs the Hennepin County Auditor to cancel and reduce special assessments, pending assessments and charges on its records consistent with this resolution. Hennepin County shall continue to apply net available land sale proceeds to reimburse the City of Minneapolis for pre-forfeiture special assessments, pending assessments and charges.

Adopted 5/26/06.

Absent – Lilligren.

PS&RS - Your Committee, to whom was referred an ordinance amending Title 14, Chapter 363 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: Wine Licenses*, deleting the 75 seat requirement for live entertainment in establishments with wine licenses and replacing it with a 50 seat requirement.

Adopted 5/26/06.

Absent – Lilligren.

Ordinance 2006-Or-060 amending Title 14, Chapter 363 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: Wine Licenses*, amending Section 363.10 to delete the 75 seat requirement for live entertainment in establishments with wine licenses and replace it with a 50 seat requirement, was adopted 5/26/06 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2006-Or-060

By Colvin Roy

Intro & 1st Reading: 4/14/06

Ref to: PS&RS

2nd Reading: 5/26/06

Amending Title 14, Chapter 363 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Wine Licenses.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 363.10 of the above-entitled ordinance be amended to read as follows:

363.10. Definitions. As used in this chapter, unless some other meaning is clearly required by the context, the following words and phrases shall mean:

Beverages: A drink of any kind.

Food: What is eaten for nourishment but excluding beverages.

Gross revenue: The total amount of receipts without regard to taxes or any other imposition.

Restaurant: An establishment, under the control of a single proprietor or manager, having appropriate facilities for serving meals, having facilities for interior seating of not fewer than ~~seventy-five (75)~~ fifty (50) guests at one time at tables if the application is for a Class A through Class D wine license and having facilities for seating not fewer than twenty-five (25) guests at one time at tables if the application is for a Class E wine license, and where, in consideration of payment therefor, meals are regularly served at tables to the general public, and which employs an adequate staff to provide the usual and suitable service to its guests, and which has gross sales revenue during each fiscal year from the sale of food and beverages not containing alcohol in an amount of not less than sixty (60) per cent of its total gross revenue from the sale of food and beverages.

Wine: A vinous beverage containing not more than twenty-four (24) per cent alcohol by volume.

Adopted 5/26/06.

Absent – Lilligren.

PS&RS - Your Committee, to whom was referred ordinances amending Title 14, Chapter 360 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: In General* and Chapter 362 relating to *Liquor and Beer: Liquor Licenses*, adding a definition of bowling center and exempting bowling centers from the requirement that 60 percent of total gross revenue come from the sale of food and beverages, now recommends that said ordinances be returned to author.

Adopted 5/26/06.

Absent – Lilligren.

PS&RS - Your Committee, having under consideration the application of Charlys Polleria Inc, dba Charlys Polleria Restaurant, 2851 Central Av NE, for an On-Sale Wine Class E with Strong Beer License (new business) to expire April 1, 2007, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 5/26/06.

Absent – Lilligren.

PS&RS - Your Committee, having under consideration the application of Brits Ltd, dba Brit's Pub & Eatery, 1110 Nicollet Mall, for an On-Sale Liquor Class C-1 with Sunday Sales License (expansion of premises to allow sidewalk cafe) to expire October 1, 2006, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 5/26/06.

Absent – Lilligren.

Approved by Mayor Rybak 5/30/06.

(Published 6/1/06)

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted 5/26/06.

Absent – Lilligren.

Resolution 2006R-293, granting applications for Liquor, Wine and Beer Licenses, was adopted 5/26/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-293

By Samuels

Granting Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

Off-Sale Liquor, to expire April 1, 2007

R H M Inc, dba Gopher Liquor Store, 335 Monroe St NE

Off-Sale Liquor, to expire July 1, 2007

KJM Enterprises Inc, dba Lowry Hill Liquors, 1922 Hennepin Av, 1st floor

E & M Franklin Nicollet, dba Franklin Nicollet Liquor Store, 2012 Nicollet Av, 1st floor

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2007

TRBK Inc, dba Suite Life Catering, 600 1st Av N, meeting rooms

On-Sale Liquor Class A with Sunday Sales, to expire July 1, 2006

Metropolitan Sports Facilities Commission, dba H H H Metrodome, 900 S 5th St

On-Sale Liquor Class B with Sunday Sales, to expire January 1, 2007

Soni LLC, dba Poodle Club, 3001 E Lake St (change in ownership from Poodle Inc)

On-Sale Liquor Class B with Sunday Sales, to expire April 1, 2007

Jax Cafe Inc, dba Jax Cafe, 1922 University Av NE

Stardust Lanes Inc, dba Memory Lanes, 2520 26th Av S

On-Sale Liquor Class B with Sunday Sales, to expire July 1, 2007

Michael Anthony Inc, dba Runyons, 107 Washington Av N

Mike Spicer Foods Ltd, dba Spirell Bar, 119 4th St N

Last Cowboy LLC, dba Bar Abilene, 1300 Lagoon Av

On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2007

Apple American Limited Partnership of Minnesota, dba Applebees, 615 Washington Av SE (new manager)

Apple American Limited Partnership of Minnesota, dba Applebees, 3200 W Lake St (new manager)

On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2007

Jetset Inc, dba Jetset Bar, 115 1st St N

Victoria Enterprises Inc, dba Amore Victoria, 1601 W Lake St (new business)

Pomodoro Inc, dba Three Fish, 3070 Excelsior Blvd

On-Sale Liquor Class E with Sunday Sales, to expire June 14, 2006

Campiello Inc, dba Campiello Ristorante, 1320 W Lake St (Hennepin-Lake Wine Tasting Fundraiser, June 14, 2006, 5:00 p.m.)

On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2007

Irv's Bar Inc, dba Irv's Bar, 201 W Broadway

Cuzzy's Inc, dba Cuzzy's Grill & Bar, 507 Washington Av N

On-Sale Wine Class E with Strong Beer, to expire April 1, 2007

Hells Kitchen Inc, dba Hells Kitchen, 89 S 10th St

Eagle Shores Hospitality Inc, dba Signature Cafe & Catering, 130 Warwick St SE

Pizza Nea Inc, dba Pizza Nea, 306 E Hennepin Av

Transglobal Tech Inc, dba Bombay Bistro, 820 Marquette Av

Molly's Inc, dba Broders Cucina Italiana, 2308 W 50th St

Seafood Palace Inc, dba Seafood Palace, 2523 Nicollet Av

HJH Inc, dba Sawatdee Uptown, 2650 Hennepin Av

Jakeeno's Inc, dba Jakeeno's Pizza and Pasta, 3555 Chicago Av

Karim Inc, dba Adrian's Tavern, 4812 Chicago Av

Molly's Inc, dba Broders Southside Pasta Bar, 5000 Penn Av S

Tee & Lee Enterprises Inc, dba Singapore Restaurant, 5554 34th Av S

On-Sale Wine Class E, to expire April 1, 2007

Patrick's French Bakery Inc, dba Patrick's Bakery & Cafe, 6010 Lyndale Av S

Off-Sale Beer, to expire April 1, 2007

Metro Market on 5th Inc, dba Metro Market on 5th, 201 5th Av N (new business)

Eighth Street Market Inc, dba Eighth Street Market, 630 8th St SE (new proprietor)

Diamond Lake Inc, dba Sullivan's Super Valu, 30 W Lake St

Speedway Super America LLC, dba Super America #4388, 101 W Grant St

Speedway Super America LLC, dba Super America #4056, 300 Broadway St NE

S-Mart Inc, dba S-Mart Grocery, 324 W 33rd St

Bakri Eddie I, dba Twins Stop N Go, 641 Broadway St NE

Speedway Super America LLC, dba Super America #4060, 801 W Lake St

Liu Qing & Zhou Fuliang, dba Kyle's Market, 826 W 36th St

Holiday Stationstores Inc, dba Holiday Stationstore #335, 1301 Industrial Blvd

Aldi Inc, dba Store #67, 1311 E Franklin Av

Crown Coco Inc, dba Broadway E-Z Stop Store, 1617 Broadway St NE

Crown Coco Inc, dba Old Colony EZ Stop, 1624 Washington Av N

Speedway Super America LLC, dba Super America #4185, 1816 37th Av NE

Simona Inc, dba Joe's Market & Deli, 1828 Como Av SE

Awaijane Assad, dba B-Line Market, 1901 Fillmore St NE

Holiday Stationstores Inc, dba Holiday Stationstore #2, 2124 E Franklin Av
Speedway Super America LLC, dba Super America #4034, 2200 Lyndale Av S
Hark's Co Inc, dba Hark's Food Market, 2401 Nicollet Av
Speedway Super America LLC, dba Super America #4602, 2430 Marshall St NE
Speedway Super America LLC, dba Super America #4378, 2445 Bloomington Av
Speedway Super America LLC, dba Super America #4024, 2501 Hennepin Av
Speedway Super America LLC, dba Super America #4392, 2618 Lowry Av N
Easyway Food Inc, dba Easyway Foods, 2820 Johnson St NE
Rashid Simon, dba Fatina Food, 3246 Nicollet Av
Wazwaz Ghasan, dba Sunshine Foods, 3300 4th Av S
Speedway Super America LLC, dba Super America #4173, 3357 University Av SE
Speedway Super America LLC, dba Super America #4232, 3453 Nicollet Av
Kwik Mart Inc, dba Kwik Mart Inc, 3652 Cedar Av S
Speedway Super America LLC, dba Super America #4382, 3744 Chicago Av
Speedway Super America LLC, dba Super America #4172, 3806 W Lake St
Reidy Company, dba Reidy's Country Boy, 3904 42nd Av S
Speedway Super America LLC, dba Super America #4021, 4320 E Lake St
Hark's Co Inc, dba Pump & Munch, 4401 Nicollet Av
Speedway Super America LLC, dba Super America #4161, 4740 Cedar Av S
Speedway Super America LLC, dba Super America #4165, 5101 34th Av S
Holiday Stationstores Inc, dba Holiday Stationstore #25, 5444 Nicollet Av
Arpinar Orhan, dba Xerxes Market, 5555 Xerxes Av S
Diamond Lake 1994 LLC, dba Cub Foods, 5937 Nicollet Av
Speedway Super America LLC, dba Super America #4166, 6000 Portland Av
On-Sale Beer Class D, to expire April 1, 2007
Johnnie Entertainment LLC, dba Sportsmans Pub & Grill, 2124 Como Av SE
On-Sale Beer Class E, to expire April 1, 2007
Lotus of Campus Inc, dba Lotus Restaurant, 313 Oak St SE
Davanni's Inc, dba Davanni's Pizza & Hot Hoagies, 1138 Hennepin Av
Davanni's Inc, dba Davanni's Pizza & Hot Hoagies, 2500 Riverside Av
Lemanczik Enterprises Inc, dba T-Shoppe Bar, 4154 Fremont Av N
Dennis Schuldt, dba Lake Inn, 4204 28th Av S
John-Fred Co Inc, dba Sunrise Inn, 4563 34th Av S
Cod Jr Incorporated, dba Cloggy's Tavern, 5404 34th Av S.
Adopted 5/26/06.
Absent – Lilligren.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Business Licenses.

Adopted 5/26/06.

Absent – Lilligren.

Resolution 2006R-294, granting applications for Business Licenses, was adopted 5/26/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-294
By Samuels

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of May 26, 2006 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 271223):

Bowling Alley; Dancing School; Dry Cleaning & Laundry Pickup Station; Place of Entertainment; All Night Special Food; Caterers; Confectionery; Food Distributor; Food Market Distributor; Farm – Produce Permits; Grocery; Indoor Food Cart; Food Manufacturer; Food Market Manufacturer; Public Market; Mobile Food Vendor; Drive In Food; Restaurant; Food Shelf; Short-Term Food Permit; Seasonal Short Term Food; Vending Machine; Heating, Air Conditioning & Ventilating Class A; Motor Vehicle Repair Garage; Commercial Parking Lot Class A; Plumber; Refrigeration Systems Installer; Residential Specialty Contractor; Solicitor - Company; Solid Waste Hauler; Suntanning Facility; Swimming Pool – Public; Tattooist/Body Piercer; Tattooist/Body Piercer Establishment; Taxicab Vehicle; Tobacco Dealer; Tree Servicing; Valet Parking; and Wrecker of Buildings Class B.

Adopted 5/26/06.

Absent – Lilligren.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Gambling Licenses.

Adopted 5/26/06.

Absent – Lilligren.

Resolution 2006R-295, granting applications for Gambling Licenses, was adopted 5/26/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-295

By Samuels

Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

Gambling Class B

Minneapolis Riverview Lions, dba Minneapolis Riverview Lions, 2507 E 25th St (One Day Off-Site Raffle, June 25, 2006 at Eagles Club, 2507 E 25th St)

Church of the Incarnation, dba Church of the Incarnation, 3817 Pleasant Av S (Site: 1029 Bar, 1029 Marshall St NE)

Church of the Incarnation, dba Church of the Incarnation, 3817 Pleasant Av S (Site: Champions Saloon & Eatery, 105 W Lake St)

Edison Community Sports Foundation, dba Edison Sports Foundation, 700 22nd Av NE (Site: Spring Street Bar & Grill, 355 Monroe St)

Edison Community Sports Foundation, dba Edison Community Sports Foundation, 700 22nd Av NE (Site: Vegas Lounge, 965 Central Av NE)

Gambling Lawful Exempt

Church of St. Anthony Padua, dba Church of St. Anthony Padua, 804 2nd St NE (Bingo, Raffle, Paddlewheel, Pulltabs, Tipboards August 6, 2006).

Adopted 5/26/06.

Absent – Lilligren.

PS&RS - Your Committee, having under consideration the property located at 2511 James Av N which has been deemed by the Director of Inspections to constitute a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, now recommends that the proper City

Officers be authorized to demolish said property, effective August 15, 2006, legally described as Lot 5, Block 3, Forest Heights Addition to Minneapolis (PID #16-029-24-21-0038), in accordance with the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted 5/26/06.

Absent – Lilligren.

PS&RS - Your Committee, having under consideration the property located at 3448 20th Av S which has been deemed by the Director of Inspections to constitute a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, now recommends that the proper City Officers be authorized to demolish said property legally described as Lot 5, Block 7, Wilbers 2nd Addition to Minneapolis (PID #01-028-24-32-0105), in accordance with the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted 5/26/06.

Absent – Lilligren.

Approved by Mayor Rybak 5/30/06.

(Published 6/1/06)

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following report:

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to aggressively pursue the Staffing for Adequate Fire and Emergency Response (SAFER) Grant from the United States Department of Homeland Security seeking \$1.2 million to employ 12 full-time firefighters on an engine company at Fire Station #27. Further, the City Council certifies that it has knowledge that the Fire Department has submitted the grant application, and commits to the provision of necessary funding for the additional staff to meet the City's cost sharing obligations, \$2.88 million over the next five years, if awarded the grant.

Ostrow moved to amend the report by adding the following paragraphs:

"1. Fire and Regulatory Services staff are directed to meet and confer with AFSCME representatives regarding the enhanced role for the Fire Department in addressing nuisance properties and environmental complaints and service redesigns related to this enhanced role.

2. There will be no fund transfers or transfers of existing positions resulting from the enhanced role for the Fire Department in addressing nuisance properties and environmental complaints." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 5/26/06. Yeas, 9; Nays, 2 as follows:

Yeas – Remington, Benson, Samuels, Gordon, Hofstede, Ostrow, Schiff, Colvin Roy, Johnson.

Nays – Goodman, Hodges.

Absent – Glidden, Lilligren.

The **TAXES** Committee submitted the following report:

Taxes - Your Committee recommends approval of the following report of the Minneapolis Board of Appeals and Equalization Special Board of Review:

Minneapolis Board of Appeal and Equalization Report of the Special Board of Review

The City Clerk submits the report of the Special Board of Review, pursuant to the provisions of an ordinance passed May 30, 1975, by the Minneapolis City Council relating to assessments of market value of real estate, providing for the creation of a Special Board of Review.

The Board met on Tuesday April 25, 2006, was duly sworn and after being so sworn entered upon the discharge of duties imposed by law on such Board. The Board continued to meet to and including Friday, May 5, 2006.

The Board equalized the assessments of the assessment rolls of real and personal property located in the City of Minneapolis, County of Hennepin, Minnesota. The Board recommends approval of the Assessor's rolls containing the assessment of real estate and personal property in the districts of the City of Minneapolis, as so revised, amended, equalized and granted by the Board.

The Board recommends to the City Clerk that copies of the adjustments and corrections made to such assessment rolls be transmitted to the City Council for approval or correction. If approved, The Board recommends such assessment rolls be transmitted to the City Assessor, County Board of Appeal and Equalization, and the State Tax Commissioner with the request that they take such action within their powers as authorized by law to give full effect to the correction and adjustments recommended and made by the Board. (Petr. 271226)

Adopted 5/26/06.

Absent - Glidden, Lilligren.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

T&PW - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for engineering services for the design and construction of the Fridley Membrane Filtration Plant. Funds are available within the project budget.

Adopted 5/26/06.

Absent - Glidden, Lilligren.

Approved by Mayor Rybak 5/30/06.

(Published 6/1/06)

T&PW - Your Committee, having under consideration the Traffic Control Signal System, now recommends that the proper City officers be authorized to execute Addendum No. 1 to Agreement No. 17095 with Fortran Traffic Systems, Ltd. increasing the contract in the amount of \$63,873, to provide for an extension of the existing maintenance contract through June 30, 2006.

Adopted 5/26/06.

Absent - Glidden, Lilligren.

T&PW - Your Committee, having under consideration the construction of the new Fire Station No. 14 (2002 Lowry Av), now recommends that the proper City officers be authorized to execute Change Order No. 3, increasing Contract No. C-21859 with Rochon Corporation in the amount of \$35,046, for a revised contract total of \$3,274,104, to allow for minor modifications to the architectural, structural, mechanical, and electrical work. No additional appropriation required.

Adopted 5/26/06.

Absent - Glidden, Lilligren.

T&PW - Your Committee, having under consideration the construction of the new Fire Station No. 14 (2002 Lowry Av), now recommends that the proper City officers be authorized to execute Amendment No. 1 increasing Contract No. C-20672 with Ankeny Kell Architects in the amount of \$10,095, for a revised contract total of \$275,595, to provide for additional architectural and engineering services for the design of the building. No additional appropriation required.

Adopted 5/26/06.

Absent - Glidden, Lilligren.

T&PW - Your Committee recommends that the proper City officers be directed to submit a draft Minneapolis Local Surface Water Management Plan to the Metropolitan Council, Bassett Creek Water Management Commission, Minnehaha Creek Watershed District, Mississippi River Watershed Organization, and Shingle Creek Watershed Management Commission for review and comment.

Adopted 5/26/06.

Absent - Glidden, Lilligren.

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following report:

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute Amendment No. 6, increasing Contract No C-16153 (OP No. 5515) with Electronic Design Company in the amount of \$325,000, for a revised estimated expenditure of \$2,372,356, for the implementation of the centralization of security monitoring functions at the Government Center and Centre Village Municipal Parking Ramps.

Adopted 5/26/06.

Absent - Glidden, Lilligren.

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

W&M/Budget - Your Committee, having held a public hearing to consider the 2007 Nicollet Mall Operating Budget, now recommends passage of the accompanying resolutions:

a) Approving the 2007 Nicollet Mall Operating Budget in the amount of \$1,263,101 as recommended by the Nicollet Mall Advisory Board;

b) Directing the City Engineer to prepare an assessment roll setting forth the amount to be partially assessed against properties in the district as may be deemed appropriate by the City Council; and

c) Passage of the accompanying resolution amending the 2006 General Appropriation Resolution by increasing the Nicollet Mall 2005 Appropriation by \$230,607, to equal the revised budget adopted by the Nicollet Mall Advisory Board.

Adopted 5/26/06.

Absent - Glidden, Lilligren.

Resolution 2006R-296, approving the 2007 Nicollet Mall Operating Budget, was adopted 5/26/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-296

By Ostrow

Approving the 2007 Nicollet Mall Operating Budget and accepting adjustments to the 2006 Nicollet Mall Operating Budget.

Resolved by The City Council of The City of Minneapolis:

That the estimated cost of improving, operating and maintaining the Nicollet Mall for 2007, an adjustment to the 2006 Appropriation to include unexpended balances from 2005 submitted by the City Engineer in accordance with Subd. 1, Section 420.102, Minnesota Statutes, be approved as follows:

Category 1 -	Amount to be charged against the General Funds of the City	\$ 69,395
Category 2 -	Amount to be charged against benefited properties in Proportion to benefits	\$1,172,706
Category 3 -	Amount to be specially taxed against properties after Deductions under categories 1 and 2, and rental fees	\$ 0
	Rental received from vendors and other use	\$ 21,000

Total amount required for 2006 improvements, operations and maintenance, prior Years carry forward of unexpended balance and adjusted costs \$1,263,101

Be it Further Resolved that the City Engineer be directed to prepare an assessment roll setting forth separately the amounts to be specially assessed against the benefited properties, in the district in proportion to benefits, descriptions of such properties and the names of the owners of such properties so far as such names are available to the City Engineer, and that the City Engineer confer with the Nicollet Mall Advisory Board in the preparation of such assessment roll.

Adopted 5/26/06.

Absent - Glidden, Lilligren.

RESOLUTION 2006R-297

By Ostrow

Amending the 2006 General Appropriation Resolution.

Resolved by the City Council of the City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Streets & Malls - Nicollet Mall Agency in the General Fund (0100-607-6130) by \$230,607.

Adopted 5/26/06.

Absent - Glidden, Lilligren.

W&M/Budget - Your Committee, to whom was referred an ordinance amending Title 2, Chapter 15 of the Minneapolis Code of Ordinances relating to *Administration: Ethics in Government*, amending Section 15.120(c), entitled *Loans* by deleting the word "appointed" to allow elected officials to apply for City loans, now recommends that said ordinance be returned to author.

Adopted 5/26/06.

Absent - Glidden, Lilligren.

W&M/Budget - Your Committee, having under consideration the New Central Library Project, now recommends approval of Change Order No. 5 decreasing Contract #C-20567 with E.R. Berwald Roofing Company, Inc. by \$42,915, so that the contract totals \$3,456,758.

Adopted 5/26/06.

Absent - Glidden, Lilligren.

Approved by Mayor Rybak 5/30/06.

(Published 6/1/06)

W&M/Budget - Your Committee recommends that the proper City officers be authorized to enter into contract with Buck Consultants for consulting services related to City of Minneapolis Employee Benefits - Healthcare Plan Management as well as health and wellness programming for two (2) years for up to \$260,000; with the contingency to renew annually for a total of five (5) years.

Adopted 5/26/06.

Absent - Glidden, Lilligren.

W&M/Budget - Your Committee, having under consideration a recommendation by the Department of Human Resources to add a new appointed position entitled Technology Services Manager, now recommends the following:

a) That the proposed position meets the criteria in Section 20.1010 of the Minneapolis Code of Ordinances, and that the position may be established in accordance with the findings (as set forth in Petn No. 271236);

b) Approval of the proposed appointed position, allocated to grade 11 with 540 points; and

c) Approval of the annual salary for the position in accordance with the adopted appointed employee's compensation plan, effective April 1, 2006.

Adopted 5/26/06. Yeas, 10; Nays, 1 as follows:

Yeas - Remington, Benson, Goodman, Hodges, Samuels, Gordon, Hofstede, Ostrow, Schiff, Colvin Roy.

Nays - Johnson.

Absent - Glidden, Lilligren.

W&M/Budget - Your Committee recommends that the Council reaffirm its commitment to expanding communication with the public.

Your Committee further recommends passage of the accompanying Resolution establishing the public purpose of and authority for managing Blog Sites for elected officials (Petn No 271234).

Gordon moved that the report be amended by adding staff direction that within 60 days of the passage of this resolution, the City Clerk's office with the assistance of the Elected Officials using City-sponsored blogs, shall submit a written report to the Ways and Means Committee advising of issues that have occurred, complaints made, procedures written or modified, and other issues including cost, related to City-supported blogs.

Further, that the City Clerk's office will develop a disclaimer informing readers of the blog's ownership, limitations, prohibitions and the fact that information shared with the blog will be public data. This disclaimer will appear on or be linked to from the header of each Elected Official blog. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 5/26/06. Yeas, 7; Nays, 4 as follows:

Yeas - Remington, Benson, Goodman, Hodges, Gordon, Ostrow, Schiff.

Nays - Samuels, Hofstede, Colvin Roy, Johnson.

Absent - Glidden, Lilligren.

Resolution 2006R-298, authorizing elected officials to create and maintain City-Supported Blogs, was adopted 5/26/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-298

By Gordon, Glidden, Hodges, Lilligren and Remington

Authorizing Elected Officials to Create and Maintain City-Supported Blogs.

Whereas, weblogs (commonly known as "blogs") are an emerging communication technology with great promise to better connect constituents to their representatives; and

Whereas, the City of Minneapolis strives for the highest possible standard for communication between residents and government; and

Whereas, blogs allow constituents and others to provide interactive public comments and to comments on others' comments; and

Whereas, allowing blogs as a communication tool for Elected Officials may result in a more informed public and an open dialogue of ideas to better the governance of the City of Minneapolis;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That allowing Elected Officials to use City funds, supplies, equipment, and personnel to create and maintain a blog related to their official duties as Elected Officials (hereinafter, "City-supported blog") serves a public purpose.

Be It Further Resolved that Elected Officials must comply with City of Minneapolis or State of Minnesota contracting requirements if the Elected Officials want to enter into contracts for the creation or maintenance of their City-supported blogs.

Be It Further Resolved that Elected Officials and their staff are authorized to refer to their City-supported blogs in communication via City of Minneapolis e-mail systems.

Be It Further Resolved that Elected Officials and their staff are authorized to refer to their City-supported blogs in newsletters and other publications, with the exception that if an Elected Official is a "candidate" as defined by Minnesota Statutes, Section 10A.01, Subdivision 10, any reference to the

City-supported blog in the newsletters and publications must be deleted before placing the newsletters and publications on the City of Minneapolis Council Ward Web Site or any part of the City's Web Site.

Be It Further Resolved that the City of Minneapolis shall not provide a link from the City of Minneapolis' Web Site to a City-supported blog of an Elected Official who is a "candidate" as defined by Minnesota Statutes, Section 10A.01, Subdivision 10.

Be It Further Resolved that an Elected Official shall not provide a link from the City-supported blog to any blog that is not supported by the City of Minneapolis if the Elected Official is a "candidate" as defined by Minnesota Statutes, Section 10A.01, Subdivision 10.

Be It Further Resolved that the City-supported blog sites will be limited public forums. The purpose of these limited public forums is to allow for an open discussion of issues related to the governance of the City of Minneapolis. In line with this purpose, the following are prohibited on the City-supported blogs:

- Defamatory comments
- Profane language
- Comments that promote, foster, or perpetuate discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, affectional preference or sexual orientation
- Sexually explicit remarks or material
- Comments related to political campaigning
- Comments related to soliciting for charities, unless the charity is sponsored by the City of Minneapolis

Be It Further Resolved that the above purpose and prohibitions of the limited public forum must be clearly stated on the City-supported blogs and the Elected Officials and their staff are responsible for enforcing the purpose and above-listed prohibitions.

Be It Further Resolved that City-supported blogs are considered limited public forums, and that neither Elected Officials nor their staff will engage in viewpoint discrimination of comments which are within the purpose of the limited public forum and are not listed in the list of prohibitions above.

Be It Further Resolved that an Elected Official shall not post on the City-supported blog his or her own comments that could be construed as advocating for a position on actions that will be taken by the City Council in a quasi-judicial proceeding.

Be It Further Resolved that the City Clerk's office is delegated authority to set guidelines and procedures for the use of City-supported blogs by Elected Officials and that the Elected Officials using City-supported blogs will assist in the creation of such guidelines and procedures.

Be It Further Resolved that within 6 months of the passage of this resolution, the City Clerk's office, with the assistance of the Elected Officials using City-sponsored blogs, shall submit a written report to the City Council advising of issues that have occurred, complaints made, procedures written or modified, and other issues of concern related to City-supported blogs.

Adopted 5/26/06. Yeas, 7; Nays, 4 as follows:

Yeas - Remington, Benson, Goodman, Hodges, Gordon, Ostrow, Schiff.

Nays - Samuels, Hofstede, Colvin Roy, Johnson.

Absent - Glidden, Lilligren.

The **ZONING & PLANNING** Committee submitted the following reports:

Z&P - Your Committee concurs in the recommendation of the Planning Commission granting the application of Extencicare Homes, Inc (#1483) to vacate part of a public alley in the vicinity of the block bounded by Clinton Ave S, 26th St E, 3rd Ave S and 25th St E for use as green space for adjacent properties, and to adopt the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying resolution vacating said alley.

Adopted 5/26/06.

Absent – Glidden, Lilligren.

Resolution 2006R-299, vacating the portion of the alley on the block bound by Clinton Ave S, 26th St E, 3rd Ave S, and 25th St E, was adopted 5/26/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-299

By Schiff

Vacating the portion of the alley on the block bound by Clinton Ave S, 26th St E, 3rd Ave S, and 25th St E (#1483).

Resolved by The City Council of The City of Minneapolis:

That all that part of the alley described as the South 12 feet of Lot 1 and the South 12 feet of the East 22 feet of Lot 2, Block 2, R. D. Beede's 1st Addition to Minneapolis, as described in the Deed document in Book 43, Page 285, on file and of record in the office of the Hennepin County Recorder's Office is hereby vacated.

Adopted 5/26/06.

Absent – Glidden, Lilligren.

Z&P – Your Committee recommends confirmation of the Mayoral appointment of Katherine Nordahl, Fredrikson & Byron, P.A., 200 S 6th St #4000, Minneapolis, MN 55402, to the Minneapolis Arts Commission, for a term of office to expire January 31, 2008 (replacing Beth St. John Kehoe).

Adopted 5/26/06.

Absent – Glidden, Lilligren.

MOTIONS

Ostrow, on behalf of Lilligren, introduced the subject matter of an ordinance amending Title 15, Chapter 385 of the Minneapolis Code of Ordinances relating to Offenses - Miscellaneous: In General, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (to prohibit use of alleys for through pedestrian traffic, except for abutting property owners, tenants, their guests and invitees, law enforcement personnel, emergency medical or fire personnel, persons performing public service activities or inspections, and person performing services for public or private utility, garbage collection, or communication companies).

RESOLUTIONS

Resolution 2006R-300, honoring Ken Ziegler for his years of dedicated service to the City of Minneapolis, was adopted 5/26/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-300

By Ostrow, Gordon, Hofstede, Johnson, Samuels, Lilligren, Goodman, Glidden, Schiff, Remington, Benson, Colvin Roy and Hodges

Honoring Ken Ziegler for his dedicated service to the City of Minneapolis.

Whereas, Ken Ziegler has faithfully served the City of Minneapolis in a variety of positions since 1976; and

Whereas, Ken has contributed to furthering the goals of the City of Minneapolis through the effective development and implementation of regulations of businesses; and

Whereas, Ken has consistently served the Minneapolis community in a positive, professional and courteous manner and has always been the voice of reason; and

Whereas, Ken's knowledge, skills and dedication to his profession throughout his 30 year tenure have earned him the respect and friendship of colleagues, elected officials, and customers that render his name synonymous with Minneapolis' liquor expert; and

Whereas, Ken has made significant contributions to the City during his tenure, including:

- Led the effort to de-centralize the taxicab industry in the early 1980's so that for the first time in Minneapolis history independent ownership of taxicabs was possible;
- Was one of the first civilian license inspectors to be authorized to investigate liquor applications when the Police Department transferred this effort to the License Department in 1983;
- Facilitated the granting of countless new business license applications thereby fulfilling the basic dream of thousands of people;
- Prepared hundreds of staff reports, ordinance amendments, and public hearings for presentation to the Public Safety and Regulatory Services Committee and City Council;
- As the president of AFSCME, oversaw the negotiation of numerous City employee labor contracts, grievances, and settlements;
- Can cite with "encyclopedic accuracy", all liquor codes, ordinances, and statutes that have been enacted since the repeal of prohibition;
- Provided leadership, guidance, and training to numerous junior inspectors using his "sink or swim" method, with very few casualties;
- Guided City efforts to ensure that the newly enacted smoking ban in bars and restaurants was a smooth transition, despite his personal disdain for the concept;
- Holds the record for having the most tenure as an Urban Corps Intern;
- The only male city employee in history who was permitted to leave work so that he could return home to turn off his curling iron; and

Whereas, the City of Minneapolis, the Department of Licenses and Consumer Services, and AFSCME Local 9 union members wish to formally recognize the achievements of Ken and his dedicated service to the Department and the City;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That we thank Kenneth M. Ziegler for his outstanding service and dedication to the City of Minneapolis.

Be It Further Resolved that we wish Ken much happiness, good health and personal fulfillment in the years to come knowing he will go on to great new challenges and successes.

Adopted 5/26/06.

Absent - Glidden, Lilligren.

Resolution 2006R-301, urging that Immigration and Customs Enforcement Officials wear visible identification clearly distinguishing them as Immigration and Customs Enforcement agents, was adopted 5/26/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-301

By Schiff, Samuels, Ostrow, Gordon, Hofstede, Johnson, Lilligren, Goodman, Glidden, Remington, Benson, Colvin Roy, Hodges

Urging that Immigration and Customs Enforcement Officials wear visible identification clearly distinguishing them as Immigration and Customs Enforcement agents.

Whereas, Minneapolis has always prided itself on valuing residents of all backgrounds; and
Whereas, without trust in local law enforcement, people are needlessly trapped in dangerous situations; and

Whereas, the role of local law enforcement is first and foremost to protect public safety, which requires the trust of the people with the greatest need; and

Whereas, the City of Minneapolis has adopted an ordinance reinforcing the separation of Minneapolis Police Department from federal immigration enforcement; and

Whereas, by misleading and confusing our residents, Immigration and Customs Enforcement damages our ability to protect and serve the people of Minneapolis;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council of the City of Minneapolis urges that Immigration and Customs Enforcement Officials immediately and comprehensively wear visible identification that clearly distinguishes them as Immigration and Customs Enforcement agents and not the police.

Adopted 5/26/06.

Absent - Glidden, Lilligren.

NEW BUSINESS

Hofstede introduced an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code*, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (relating to lodging establishments).

Hofstede introduced an ordinance repealing Title 13, Chapter 298 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Lodging Houses*, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (transferring authority to Title 12, Chapter 244).

Colvin Roy moved to adjourn. Seconded.

Adopted upon a voice vote 5/26/06.

Absent - Lilligren.

Merry Keefe,
City Clerk.

Unofficial Posting: 5/30/2006
Official Posting: 6/02/2006
Corrections: 6/21/2006; 7/12/2006